

# California Department of Insurance

## Fraud Division

### June 2011 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

**Note:** If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program  
9342 Tech Center Drive, Suite 100  
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

## **June 2011 Workers' Compensation Fraud Convictions**

**CDI Case Name:** Image Lounge

**CDI Case Number:** 10AW017446

**County:** Sacramento

**Defendant:** Max Archuleta

**City/County of Residence:** Elk Grove/Sacramento

**Conviction Date:** 06/07/11

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** NA

**Sentence:** 2 Years Informal Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$8,160 Suspended)

**CDI Case Name:** Bell Painting

**CDI Case Number:** 09AW023070

**County:** Yolo

**Defendant:** John W. Bell

**City/County of Residence:** Vacaville/Solano

**Conviction Date:** 06/22/11

**Offense:** 3 Counts of IC 11880(a) (Premium Fraud) (Misdemeanor)

**Amount Allegedly Defrauded:** \$19,038

**Sentence:** 36 Months Summary Probation, Restitution is Paid In Full, \$100 Civil Fine, \$1,770 Criminal Fine

**Case Number:** BA373554

**County:** Los Angeles

**Defendant:** Hernan Del Carmen

**City/County of Residence:** Not available at this time

**Conviction Date:** 06/06/11

**Offense:** 2 Counts of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

**Amount Allegedly Defrauded:** \$7,733.99

**Sentence:** 72 Days County Jail, 3 Years Formal Probation, \$7,733.99 Restitution, \$200 Civil Fine

**CDI Case Number:** 09BW021910

**County:** San Francisco

**Defendant:** Leticia Coral

**City/County of Residence:** Pacifica/San Mateo

**Conviction Date:** 06/17/11

**Offense:** 1 Count of PC 487(c) (Grand Theft)

**Amount Allegedly Defrauded:** \$65,000

**Sentence:** 364 Days County Jail, 3 Years Probation, \$65,000 Restitution (Now Paid)

**Case Number:** BA373554  
**County:** Los Angeles  
**Defendant:** Saul Argueta Fuentes  
**City/County of Residence:** Not available at this time  
**Conviction Date:** 06/15/11  
**Offense:** 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)  
**Amount Allegedly Defrauded:** TBD  
**Sentence:** 9 Days County Jail, 3 Years Formal Probation, TBD Restitution, \$200 Civil Fine

**CDI Case Number:** 07BW006956  
**County:** San Francisco  
**Defendant:** Kivin Lara-Guzman  
**City/County of Residence:** Oakley/Alameda  
**Conviction Date:** 06/24/11  
**Offense:** 1 Count of IC 1871.4(a)(2) (False or Misleading Statement in Support of Claim); 1 Count of PC 487(a) (Grand Theft); 1 Count of UI 2101(a) (Collecting Disability While Working)  
**Amount Allegedly Defrauded:** \$24,073.43  
**Sentence:** 2 Days County Jail, 3 Years Unsupervised Probation, \$24,073.43 Restitution, \$300 Civil Fine

**Case Number:** 11CM07622  
**County:** Orange  
**Defendant:** Thomas Edward Loucks  
**City/County of Residence:** Not available at this time  
**Conviction Date:** 06/10/11  
**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
**Amount Allegedly Defrauded:** NA  
**Sentence:** 3 Years Informal Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$8,500 Suspended)

**CDI Case Number:** 10FW020445  
**County:** Tulare  
**Defendant:** Severo Medina Rivera  
**City/County of Residence:** McFarland/Kern  
**Conviction Date:** 06/14/11  
**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
**Amount Allegedly Defrauded:** N/A  
**Sentence:** 90 Days County Jail, 300 Hours Volunteer Work in lieu of Fine, 36 Months Summary Probation, \$20,610.60 Restitution, \$110 Criminal Fine

**CDI Case Number:** 10CW003103

**County:** Los Angeles

**Defendant:** Agapito Joachin Rosas

**City/County of Residence:** Los Angeles/Los Angeles

**Conviction Date:** 06/29/11

**Offense:** 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

**Amount Allegedly Defrauded:** \$6,000

**Sentence:** 200 Hours Community Service, 5 Years Formal Probation, \$4,500 Restitution, \$200 Civil Fine

**Case Number:** 2011009279

**County:** Ventura

**Defendant:** Sespe Saloon

**City/County of Residence:** Fillmore/Ventura

**Conviction Date:** 06/29/11

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** NA

**Sentence:** 24 Months Conditional Probation, \$1,000 Restitution, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,000 Stayed)

**CDI Case Name:** Image Lounge

**CDI Case Number:** 10AW017446

**County:** Sacramento

**Defendant:** Eric Scott Shaffer

**City/County of Residence:** Sacramento/Sacramento

**Conviction Date:** 06/07/11

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** NA

**Sentence:** 2 Years Informal Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$8,160 Suspended)

**CDI Case Name:** Image Lounge

**CDI Case Number:** 10AW017446

**County:** Sacramento

**Defendant:** Clifford Todd Wright

**City/County of Residence:** Silverton/Marion (Oregon)

**Conviction Date:** 06/30/11

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** NA

**Sentence:** 2 Years Informal Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$8,160 Suspended)

**Case Number:** BA376308

**County:** Los Angeles

**Defendant:** Robert Yanez

**City/County of Residence:** Not available at this time

**Conviction Date:** 06/30/11

**Offense:** 1 Count of IC 1871.4(a)(2) (False or Misleading Statement in Support of Claim)  
(Misdemeanor)

**Amount Allegedly Defrauded:** \$6,234.08

**Sentence:** 1 Day County Jail, 100 Hours Community Service, 2 Years Summary Probation,  
\$6,234.08 Restitution, \$100 Civil Fine (Stayed)